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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/855,375 | 05/15/2001 | Joseph Ward | 75275C/PRC | 9500 |

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EXAMINER

HO, TUAN V

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2615

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 09/855,375 | Applicant(s) WARD ET AL. | |
| | Examiner Tuan V. Ho | Art Unit 2615 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 is/are allowed.
- 6) ☒ Claim(s) 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Applicant's arguments, see the remarks, filed 1/7/05, with respect to the rejection(s) of claim(s) 1-16 under Allen et al have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hull et al (US 5,806,005).

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hull et al.

With regard to claim 14, Hull et al discloses in Fig. 1, a digital video camera that performs the method comprising the steps of directing the automatic transmission of images from an electronic camera (after formatting an image from memory 24, the formatted image is automatically transferred to server station 24, col. 2, lines 39-63 and col. 3, lines 17-33), providing

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network configuration information (user command input 32, col. 2, line 21), storing the network configuration information in the memory of an electronic still camera (EPROM 34 stores protocol and email addresses where the email addresses are configured in a Network format in order to transmit the images to an address; in other words, Network configuration information is inherently stored in EPROM 34, col. 2, line 27), using the network configuration information to connect to a service provider (service provider is server 14, col. 2, line 19 and 47); transferring images from the electronic camera to the service provider (col. 2, lines 38-63), and the service provider sending feedback to the electronic camera indicating the transfer status (col. 2, lines 50-53), except for the user account data.

Hull et al does not explicitly disclose any user account data. However, Official Notice is taken for a user account data used to identify a user for billing purpose.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a user account in PROM 34 of Hull et al so as to identify a user of the camera in order to provide a billing process via Network and thereby to provide more convenient to a user.

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With regard to claims 15 and 16, Hull et al does not disclose any indication that the transfer is complete and displayed on a display. However, Official Notice is taken that a service provider can provide status feedback to a user side and the status displayed on a display monitor includes an indication that the transfer is complete.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the camera system of Hull et al so as to obtain a service provider can transfer a feedback indicating the status of transfer process such as a transfer completion to a user side and the status displayed on display monitor 30 includes an indication that the transfer is complete. This is because the modification of the Allen system would allow a user to verify the transmission on a monitor and thereby to improve the camera efficiency.

3. Claims 1-13 are allowed.

The prior art of record fails to suggest or disclose A method of transferring one of more images from an electronic camera to a service provider, the camera including optics and an image sensor for generating an image signal, a display for displaying images, a plurality of user inputs, a

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first digital memory for storing digital images, a second digital memory for storing a network configuration file, and a communications interface, the method comprising the steps of (a) storing the network configuration file for the service provider in the second digital memory; subsequently using the optics and image sensor to generate a plurality of image signals which are stored as a plurality of digital images in the first digital memory; viewing at least one of the plurality of digital images on the display of the electronic camera, using at least one of the plurality of user inputs to select at least one digital image for transfer to the service provider in combination with other claimed steps.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morris (US 6,353,848) discloses a digital image capture unit that communicates with a Network.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (571) 272-7365. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is (572) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600.



TUAN HO

Primary Examiner

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